

**FLATHEAD COUNTY PLANNING BOARD  
MINUTES OF THE MEETING  
SEPTEMBER 14, 2016**

**CALL TO ORDER  
6:00 pm**

A meeting of the Flathead County Planning Board was called to order at approximately 6:00 p.m. at the South Campus Building, 40 11<sup>th</sup> Street West, Suite 220, Kalispell, Montana. Board members present were Marie Hickey-AuClaire, Kevin Lake, Ron Schlegel, Dean Sirucek, Jim Heim, Jeff Larsen, Mike Horn and Greg Stevens. Mark Mussman represented the Flathead County Planning & Zoning Office.

There were no people in the audience.

**APPROVAL OF  
MINUTES  
6:02 pm**

Heim made a motion, seconded by Sirucek to approve the August 10, 2016 meeting minutes.

On a roll call vote the motion passed unanimously.

**PUBLIC  
COMMENT  
(not related to  
agenda items)  
6:04 pm**

None

Board took a break to check for public in the old conference room.

**FLATHEAD  
COUNTY  
FLOODPLAIN  
AND FLOODWAY  
MANAGEMENT  
REGULATIONS  
(FRTA-16-01)  
6:07 pm**

A request by the Planning and Zoning Office for a complete revision of the Flathead County Floodplain and Floodway Management Regulations. In order for Flathead County to continue to actively participate in the National Flood Insurance Program, the State of Montana Department of Natural Resources and Conservation (DNRC) and the Federal Emergency Management Agency (FEMA) is requiring Flathead County to revise these regulations to better align with the DNRC State Model Floodplain Hazard Management Regulations. The complete revision includes purpose, authority, general provisions, definitions, forms and fees, regulated flood hazard areas, uses allowed without a permit, prohibited uses, floodplain permit application requirements, application evaluation, development requirements in the floodway, development requirements in the flood fringe, emergencies, variances, administrative appeals, regulated flood hazard areas within the Lakeshore Protection Zone, enforcement, and penalties.

**STAFF MEMO  
6:07 pm**

Mussman reviewed Staff Memo FRTA-16-01 for the Board.

Mussman went over the intent of the regulations.

**BOARD  
QUESTIONS  
6:07 pm**

Horn asked if anything was included from the proposal by the Flathead River Commission regarding the Special Area Management Plan on the Flathead River.

Mussman stated it was a good idea to form a Special Area Management Plan for this area, but it was not something that could go into the regulations.

Horn asked for clarification on the highlighted areas.

Mark discussed the different areas of highlighted material.

Schlegel talked about the cost of getting a certificate of elevation and then a LOMA. He thought something should be done about the cost especially for elderly people who could afford it. He also talked about the permit process for small scale projects that should not need a permit.

The Board discussed this at length.

Sirucek wanted wording to the effect that stated "fee could be waived when the project is so small in comparison to the size of the stream/river that no change in stream flow is possible as deemed by the floodplain administrator."

The Board discussed this at length.

**AGENCY  
COMMENTS  
7:10 pm**

None

**PUBLIC  
COMMENT  
7:10 pm**

None

**STAFF  
REBUTTAL  
7:10 pm**

None

**MAIN MOTION  
TO ADOPT  
DRAFT  
REGULATIONS  
AS WRITTEN  
(FRTA-16-01)  
7:12 pm**

Stevens made a motion seconded by Larsen to recommend approval to the Board of County Commissioners. The Planning Board also included the following as a finding of fact:

Adoption of these regulations will further enhance the health, safety and welfare of the citizens of Flathead County.

**BOARD  
DISCUSSION  
7:12 pm**

Larsen stated he liked the additions as far as the definitions go. He did not feel these regulations were a higher standard than the state model.

Sirucek stated he felt the regulations were good as written.

Hickey-AuClaire stated for the record she had been contacted by a

member of the River Commission. She let them know the Board could vote for the draft regulations, for the State regulations, or amend the draft regulations as they saw fit.

Horn stated he felt that the administrator had the latitude to make decisions regarding the regulations.

**ROLL CALL TO  
ADOPT DRAFT  
REGULATIONS  
AS WRITTEN  
7:20 pm**

On a roll call vote the motion passed 7-1 with Schlegel dissenting.

**OLD BUSINESS  
7:21 pm**

None

**NEW BUSINESS  
7:21 pm**

Mussman handed out a draft of the strategic review plan for the new fiscal year for the Board to review. A copy is attached. The Board discussed this at length.

Sirucek wanted a study on the percentage of zone changes done in the last 10 years.

**ADJOURNMENT  
7:36 pm**

The meeting was adjourned at approximately 7:45 pm. on a motion by Larsen. The next meeting will be held at 6:00 p.m. on October 12, 2016.



Marie Hickey-Au Claire, Chairman



Danene Thornton, Recording Secretary

APPROVED AS SUBMITTED/CORRECTED: 10 / 12 / 16